

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
Plaintiff,) Case No. 2:15-cr-00071-JAD-GWF
vs.)
ROBERT DEVELL KINCADE,)
Defendant.)
)

This matter is before the Court on Defendant's Emergency Motion for Clarification (ECF No. 338), filed on April 11, 2017.

Defendant requests clarification of this Court’s Order (ECF No. 337) that unsealed two of this Court’s prior orders at the request of the Government. *See Motion to Unseal* (ECF No. 334). Defendant is concerned that the two motions he filed requesting the issuance of Rule 17 subpoenas are also included in this Court’s Order. The Court’s Order is very clear. It states that the “Clerk of Court is directed to unseal this Court’s *Orders* (ECF No. 299 and 329).” *Order* (ECF No. 337) (emphasis supplied). Defendant’s motions (ECF No. 296¹ and 328) for which those orders addressed were not discussed by the Court in its Order nor did the Government request that those motions be unsealed in the underlying motion to unseal. Defendant’s motions (ECF No. 296 and 328) remain sealed. Accordingly,

IT IS HEREBY ORDERED that Defendant's Emergency Motion for Clarification (ECF No. 338) is **granted**.

DATED this 12th day of April, 2017.

George Foley Jr.
GEORGE FOLEY, JR.
United States Magistrate Judge

¹ Erroneously labeled as 298 by Defendant is his emergency motion.